

Docket No. 120736-00104



1AP7 Rec'd PCT/PTO 13 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shoichi YAMAGUCHI
Serial No: 10/534,020
Filed: May 5, 2005
For: DUCT SYSTEM AND STORAGE APPARATUS

GAU: 3749
Confirmation No. 1369
Examiner: Unassigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Requirements under 35 U.S.C. 371 in the United States Designated/
Elected Office (DO/EO/US) dated June 6, 2006 (copy attached), the following is enclosed:

- ☐ Fee Transmittal Form;
- ☐ Small Entity Status is claimed;
- ☒ **The required surcharge fee of \$130.00 was paid on April 5, 2006, see enclosed copy;**
- ☐ \$ for a one month extension of time;
- ☒ **The Executed Declaration/Power of Attorney was filed on April 5, 2006, before receipt of the attached Notice to Missing Requirements Under 35 U.S.C. 371. See, the attached PTO stamped post card, the Transmittal and the executed Declaration;**
- \$ surcharge for originally filing a non-English language application;
- ☐ Verified English language translation of the originally filed non-English application; and

Applicants(s) are also submitting the following:

- ☐ Request for Corrected Filing Receipt;
- ☐ An Information Disclosure Statement;
 - ☐ Form PTO-1449 and 1 reference(s);
- ☐ Priority Application No. filed ;
- ☐ Executed Assignment with Form PTO-1595; and
- ☐ \$40.00 recordation of Assignment fee.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent & Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time may be charged to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Blank Rome LLP
600 New Hampshire Avenue, N.W.
Washington, DC 20037
Tel: (202) 772-5800
Fax (202) 572-8398
Customer No.: 27557

Michael D. White
Attorney of Record
Registration No. 32,795

Date: June 13, 2006

MDW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/534,020	FIRST NAMED APPLICANT Shoichi Yamaguchi	ATTY. DOCKET NO. 120736-00104
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INTERNATIONAL APPLICATION NO.

PCT/JP04/09024

I.A. FILING DATE 06/25/2004	PRIORITY DATE 06/27/2003
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27557
BLANK ROME LLP
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, DC 20037

JUN 07 2006

CONFIRMATION NO. 1369

371 FORMALITIES LETTER



OC000000019118178

Date Mailed: 06/06/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2005
- English Translation of the IA filed on 05/05/2005
- Copy of the International Search Report filed on 05/05/2005
- Copy of IPE Report filed on 05/05/2005
- Information Disclosure Statements filed on 05/05/2005
- Oath or Declaration filed on 05/05/2005
- U.S. Basic National Fees filed on 05/05/2005
- Priority Documents filed on 05/05/2005

DOCKETED

120736.0104
JUN 07 2006

Action Due

Due Date

Dec due 8/6/06
1st due 12/6/06

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,020	PCT/JP04/09024	120736-00104

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Shoichi YAMAGUCHI

Serial No.: 10/534,020

Filing Date: May 5, 2005

For: DUCT SYSTEM AND STORAGE APPARATUS

DOCKETED

120736.0104
APR 05 2006

Please stamp to acknowledge receipt of the following:
Action Due

Due Date

1. FILING OF EXECUTED DECLARATION IN NONPROVISIONAL APPLICATION (DUP) w/EXECUTED DECLARATION;
2. FEE TRANSMITTAL;
3. RECORDATION COVER LETTER w/EXECUTED ASSIGNMENT;
4. CHECKS FOR \$130.00 AND \$40.00; AND
5. FOURTH STATUS INQUIRY w/ATTACHMENTS

MDW/rb

Date: April 5, 2006

Attorney Docket No.: 120736.00104

BLANK ROME LLP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shoichi YAMAGUCHI
Serial No: 10/534,020
Filed: May 5, 2005
For: DUCT SYSTEM AND STORAGE APPARATUS

GAU: 3749
Confirmation No. 1369
Examiner: Unassigned

FILING OF EXECUTED DECLARATION IN NONPROVISIONAL APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 CFR 1.53(f), Applicant submits herewith a Declaration in accordance with 37 CFR 1.63 and:

- ☒ Fee Transmittal Form;
- ☐ Small Entity Status is claimed;
- ☐ \$ for filing fee, search fee, and examination fee;
- ☒ \$130.00 surcharge for filing late Declaration;
- ☐ \$ for a one month extension of time;
- ☐ Executed Declaration/Power of Attorney;
- ☐ \$ surcharge for originally filing a non-English language application;
- ☐ Verified English language translation of the originally filed non-English application; and

Applicants(s) are also submitting the following:


- ☐ Request for Corrected Filing Receipt;
- ☐ An Information Disclosure Statement;
 - ☐ Form PTO-1449 and reference(s);
- ☐ Priority Application No. filed ;
- ☒ Executed Assignment with Form PTO-1595; and
- ☒ \$40.00 recordation of Assignment fee.

☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

☒ If these papers are not considered timely filed by the Patent & Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time may be charged to Deposit Account No. 23-2185. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Blank Rome LLP
600 New Hampshire Avenue, N.W.
Washington, DC 20037
Tel: (202) 772-5800
Fax (202) 572-8398
Customer No.: 27557



Michael D. White
Attorney of Record
Registration No. 32,795

Date: April 5, 2006

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">For FY 2006</h2>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	0/534,020
		Filing Date	May 5, 2005
		First Named Inventor	Shoichi YAMAGUCHI
		Examiner Name	Unassigned
		Art Unit	3749
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	120736-00104
(\$) 170.00			

METHOD OF PAYMENT (check all that apply)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input type="checkbox"/> Deposit Account Deposit Account Number: <u>23-2185</u> Deposit Account Name: <u>Blank Rome LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						Small Entity	
<u>Fee Description</u>						<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<u>Total Claims</u>		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims Fee (\$)</u>	<u>Fee Paid (\$)</u>	
-20 or HP = _____		X	=				
HP=highest number of total claims paid for, if greater than 20							
<u>Indep. Claims</u>		<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
-3 or HP = _____		X	=				
HP=highest number of independent claims paid for, if greater than 3							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u>		<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>		
-100 = _____		/ 50 = _____	(round up to a whole number)	x _____	=		
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Response to Missing Parts of Application; and							
Other: (e.g., late filing surcharge): <u>Assignment Recordation Cover Sheet</u>						\$170.00	

SUBMITTED BY			
Signature	<i>Michael D. White</i>	Registration No. (Attorney/Agent)	32,795
Name (Print/Type)	Michael D. White	Telephone	202-772-5800
		Date	April 5, 2006

If you need assistance in completing the form, 1-800-PTO-9199 and select option 2.